

REMARKS

I. Introduction

With the cancellation without prejudice of claim 30 and the addition of new claim 39, claims 19 to 29 and 31 to 39 are pending in the present application. In view of the foregoing amendments and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

II. Rejection of Claims 19 to 21, 25 and 28 to 30 Under 35 U.S.C. § 102(b)

Claims 19 to 21, 25 and 28 to 30 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 2,914,258 ("Ruetsch"). It is respectfully submitted that Ruetsch does not anticipate the present claims for at least the following reasons.

Claim 19 relates to a dosing device for a liquid fuel comprising: at least one metering device configured to meter fuel into a metering conduit; and a nozzle body, adjoining the metering conduit, having spray discharge openings which open from the metering conduit directly into a metering chamber, wherein the nozzle body projects with a spherical portion at a spray-discharge end into the metering chamber, and the spray discharge openings are distributed over the **spherical** portion of the nozzle body. Although Applicants may not agree with the merits of the rejection, to simplify matters, claim 19 has been amended to incorporate, inter alia, a feature of claim 30, and claim 30 has been canceled. Specifically, claim 19 as amended further recites that **the metering conduit has a number of points of reduced wall thickness that decrease the thermal conductivity of the metering conduit.**

Contrary to the contentions appearing on page 5, lines 15 to 19 of the Office Action, no portion of the spray tip (16) of the dispensing apparatus (10) of Ruetsch is **spherical**, not even the portion containing spray orifices (18). **Ruetsch even refers to the spray tip (16) as thimble-shaped, not spherical** (see column 3, lines 11 to 14). In addition, for the section of the spray tip (16) containing the spray orifices (18) to be considered spherical, there would have to be a point in Fig. 2, somewhere along an axis of symmetry of the pipe (12) in the vicinity of the spray orifices (18), that is equidistant from all points along the outer edge of the cavity (46) or the outer edge of the pipe (12). However, no such point exists. Hence, the spray

tip (16) of the dispensing apparatus (10) of Ruetsch is not spherical, even in an area of the spray orifices (18).

In addition, Ruetsch does not disclose or suggest that a metering conduit has a number of points of reduced wall thickness that decrease a thermal conductivity of a metering conduit. In contrast, the diameter and wall thickness of the pipe (12) of Ruetsch appear to be substantially constant along the length of the pipe (12).

In view of the foregoing, it is respectfully submitted that Ruetsch does not disclose, or even suggest, all of the features included in claim 19. Consequently, it is respectfully submitted that Ruetsch does not anticipate claim 19.

As for claims 20, 21, 25, 28 and 29, which ultimately depend from claim 19 and therefore include all of the features of claim 19, it is respectfully submitted that claims 20, 21, 25, 28 and 29 are not anticipated by Ruetsch for at least the reasons set forth above in support of the patentability of claim 19.

As mentioned above, claim 30 has been canceled, thereby rendering moot the rejection with respect to this claim.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

III. Rejection of Claims 19 to 26, 28 to 30, 36 and 38 Under 35 U.S.C. § 102(b)

Claims 19 to 26, 28 to 30, 36 and 38 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 2,933,259 ("Raskin"). It is respectfully submitted that Raskin does not anticipate the present claims for at least the following reasons.

Raskin does not disclose, or even suggest, that a nozzle body adjoining a metering conduit has spray discharge openings which open from the metering conduit directly into a metering chamber. Referring to, for example, Figure 2 of Raskin, it is plainly apparent that neither bores 21 nor bores 22 open from a metering conduit directly into a metering chamber. Rather, a gap 24 is provided between corresponding bores 21 and 22.

In addition, Raskin does not disclose, or even suggest, that a metering conduit has a number of points of reduced wall thickness that decrease a thermal conductivity of a metering conduit. In contrast, in Figs. 1, 3 and 4 of Raskin, the wall

thickness of the inner pipe (4) appears to be **substantially constant** along the length of the inner pipe (4).

In view of the foregoing, it is respectfully submitted that Raskin does not disclose, or even suggest, all of the features included in claim 19. Consequently, it is respectfully submitted that Raskin does not anticipate claim 19.

As for claims 20 to 26, 28, 29, 36 and 38, which ultimately depend from claim 19 and therefore include all of the features in claim 19, it is respectfully submitted that Raskin does not anticipate these dependent claims for at least the reasons more fully set forth above.

As mentioned above, claim 30 has been canceled, thereby rendering moot the rejection with respect to this claim.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

IV. Rejection of Claims 19, 21 and 37 Under 35 U.S.C. § 103(a)

Claims 19, 21 and 37 were rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Raskin and U.S. Patent No. 6,793,910 ("Kappel et al."). It is respectfully submitted that the combination of Raskin and Kappel et al. does not render unpatentable the present claims for at least the following reasons.

As an initial matter, as more fully set forth above, it is respectfully submitted that Raskin does not disclose, or even suggest, all of the features included in claim 19. Kappel et al. are not relied upon for disclosing or suggesting the features of claim 19 not disclosed or suggested by Raskin. Indeed, it is respectfully submitted that Kappel et al. do not disclose, or even suggest, the features of claim 19 not disclosed or suggested by Raskin. Accordingly, it is respectfully submitted that the combination of Raskin and Kappel et al. does not render unpatentable claim 19 or claims 21 and 37, which depend from claim 19.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

V. New Claim 39

New claim 39 has been added herein. It is respectfully submitted that claim 39 adds no new matter and is fully supported by the present application,

including the Specification. Since claim 39 depends from claim 19, it is respectfully submitted that claim 39 is patentable over the references relied upon for at least the reasons set forth above in support of the patentability of claim 19.

VI. Conclusion

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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